



PATENT  
Attorney Docket No. A-63708-6  
Attorney File No.: 465840-00524

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

BUELOW *et al.*

Serial No. 10/782,260

Filing Date: February 18, 2004

For: *Methods of Enhancing Graft Survival by  
Modulating Heme Oxygenase Activity*

Examiner: LI, Qian Janice

Art Unit: 1633

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: June 7, 2006

Signature

Brent Yonchara

TERMINAL DISCLAIMER TO  
OBVIATE DOUBLE PATENTING REJECTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Petitioner, **SangStat Medical Corporation** (hereinafter "SangStat"), represents that it is the assignee of the entire right, title, and interest of:

1. The instant application, U.S. Serial No. 10/782,260, filed February 18, 2004, which is a continuation of U.S. Serial No. 09/515,582, filed February 29, 2000, now U.S. Patent No. 6,861,414, which is a continuation-in-part of U.S. Serial No. 09/216,005, filed December 17, 1998, now abandoned; and

2. U.S. Patent No. 6,861,414, issued March 1, 2005.

An assignment is recorded in the United States Patent and Trademark Office for U.S. Serial No. 09/515,582, filed February 29, 2000, now U.S. Patent No. 6,861,414, at Reel No. 011124, Frame No. 0231. A copy of this assignment is attached hereto.

SangStat hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, as shortened by any terminal disclaimer of U.S. Serial No. 09/515,582, filed February 29, 2000, now U.S. Patent No. 6,861,414.

SangStat hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, SangStat does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Serial No. 09/515,582, filed February 29, 2000, now U.S. Patent No. 6,861,414, as shortened by any terminal disclaimer, in the event that the patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

The undersigned is empowered to act on behalf of the petitioner/assignee. The undersigned has reviewed the evidentiary documents in the chain of title of the present application identified above, and certifies that, to the best of assignee's knowledge and belief, title is in the assignee SangStat.

Serial No.: 10/782,260  
Filed: February 18, 2004

While Applicants believe that no other fees are due at this time, the Commissioner is authorized to charge the terminal disclaimer fee of \$130.00 under 37 C.F.R. 1.20(d), and any additional fees, including extension fees or any other relief that may be required, in connection with this reply to Deposit Account 50-2319 (Order No. 465840-00524; Docket No.: A-63708-6).

The undersigned is an attorney or agent of record.

DORSEY & WHITNEY LLP

Dated: 6/7/06

By: Michael F. Kolman

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Michael F. Kolman, Reg. No. 54,234 for  
Todd A. Lorenz, Reg. No. 39,754  
Attorneys of Record for Applicant



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

NOVEMBER 27, 2000

PTAS

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SAN FRANCISCO, CALIFORNIA 94111-4187



\*101479193A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/25/2000

REEL/FRAME: 011124/0231  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BUELOW, ROLAND

DOC DATE: 06/14/2000

ASSIGNOR:

WOO, JACKY

DOC DATE: 06/15/2000

ASSIGNOR:

IYER, SUHASINI

DOC DATE: 06/14/2000

ASSIGNEE:

SANGSTAT MEDICAL CORPORATION  
6300 DUMBARTON CIRCLE  
FREMONT, CALIFORNIA 94555

SERIAL NUMBER: 09515582

FILING DATE: 02/29/2000

PATENT NUMBER:

ISSUE DATE:



RECOI  
DC

10-05-2000



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

101479193

To the Honorable Assistant Commissioner for Patents and Trademarks. Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): Roland BUELOW; Jacky WOO; and Suhasini IYER</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		<p>2. Name and address of receiving party(ies): Name: SANGSTAT MEDICAL CORPORATION</p> <p>Internal Address: _____</p> <p>Street Address: 6300 Dumbarton Circle City: Fremont State: California Zip: 94555 Country: U.S.A.</p> <p>Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: 14 &amp; 15 June 2000</p>					
<p>4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____</p> <table border="1"> <tr> <td> <p>A. Patent Application No. (s) 09/515,582</p> </td> <td> <p>B. Patent No. (s)</p> </td> </tr> </table> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>				<p>A. Patent Application No. (s) 09/515,582</p>	<p>B. Patent No. (s)</p>
<p>A. Patent Application No. (s) 09/515,582</p>	<p>B. Patent No. (s)</p>				
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Todd A. Lorenz Internal Address: _____</p> <p>Street Address: 4 Embarcadero Center-Suite 3400 City: San Francisco State: California Zip: 94111-4187</p>		<p>6. Total number of applications and patents involved: <span style="border: 1px solid black; padding: 2px;">1</span></p> <p>7. Total fee (37 CFR § 3.41): ...\$40.00 <input checked="" type="checkbox"/> Previously submitted <input type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>4000 Deposit account number: 06-1300</p> <p>Please debit any underpayment or credit any overpayment to the above deposit account.</p> <p>Our Order No. A-63708-5/RFT/TAL/JJD (Attach duplicate of this page if paying by deposit account)</p>			

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any att. is a true copy of the original document.

Todd A. Lorenz

Name of Person Signing

Signature

21 September 2000

Date

Total number of pages including cover sheet, attachments and document: 2

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

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Washington, DC 20231

File No. A-63708-5/RFT/TAL/JJD

# ASSIGNMENT

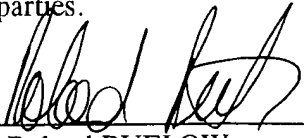
WHEREAS WE, **Roland BUELOW, Jacky WOO and Suhasini IYER** of 2747 Ross Road, Palo Alto, California 94303; 620 Iris Avenue, Apt. #422, Sunnyvale, California 94086 and 1 Elmwood Drive, San Ramon, California 94583, respectively, have invented certain new and useful improvements in *Methods for Enhancing Graft Survival by Modulating Heme Oxygenase Activity* for which invention we have executed an application for Letters Patent of the United States and which application may be identified in the United States Patent and Trademark Office as Serial No. 09/515,582, filed February 29, 2000; and

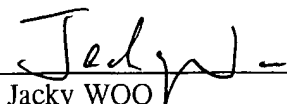
Whereas, **SANGSTAT MEDICAL CORPORATION**, a corporation of the State of California and having its principal place of business at **6300 Dumbarton Circle, Fremont, California 94555** (hereinafter referred to as assignee) is desirous of acquiring the entire right, title, and interest in and to said invention, said application and the Letters Patent to be obtained therefore;

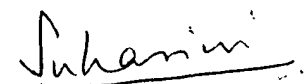
Now, therefore, for and in consideration of One Dollar and other good and valuable considerations, to us in hand paid, the receipt and sufficiency whereof are hereby acknowledged, we have sold assigned, and set over and by these presents do hereby sell, assign, and set over unto the said **SANGSTAT MEDICAL CORPORATION** and said assignee's legal representatives, successors and assigns, the entire right, title, and interest in and to said invention, said application, and the Letters Patent, both foreign and domestic, that may or shall issue thereon; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned assignee agreeably with the terms of this assignment.

We hereby authorize the above-mentioned assignee or its legal representative to insert in this instrument the filing date and serial number of our said application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Upon said consideration, we convey to said assignee the right to make application in its own behalf for protection of said invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of the said United States application (or other application if any there be) in priority to other applications; and we do hereby covenant and agree with the said assignee that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we will at any time upon request, without further or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional renewal, reissued or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such application or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of both parties.

Date: 6/14/00 By:   
Roland BUELOW

Date: 6/15/00 By:   
Jacky WOO

Date: 6/14/00 By:   
Suhasini IYER